

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

DATATREASURY CORPORATION §
 §
PLAINTIFF §
 §
v. §
 §
WELLS FARGO & CO., ET AL, §
 §
DEFENDANTS §
 §

CIVIL ACTION NO. 2:06-CV-72-DF

**NOTICE OF DEFENDANTS' CITY NATIONAL CORPORATION
AND CITY NATIONAL BANK**

TO THE HONORABLE JUDGE OF SAID COURT:

Please take notice that Defendants' City National Corporation and City National Bank ("City National") decline to sign the stipulation set forth in the Court's October 25, 2006 Order regarding a stay as to the Ballard Patents.

DATED this 2nd day of November, 2006.

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ATTORNEYS FOR DEFENDANTS
CITY NATIONAL CORPORATION AND
CITY NATIONAL BANK

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served this 2nd day of November, 2006, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by, electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Andrew W. Spangler
Andrew W. Spangler